IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 897 of 2004 (M/B)

Manvendra Singh Rawat,
S/o Dr. H.S. Rawat,
R/o E-17, Street No. 1, Shastri Nagar,
Dehradun, Uttaranchal. …….. Petitioner

Versus

1. State of Uttaranchal through Secretary
   Medical Education & Training Civil Secretariat,
   Dehradun, Uttaranchal.
2. Director General,
   Medical Education & Training, Uttaranchal,
   Dehradun.
3. The District Magistrate, Haridwar.
4. State of U.P. through Secretary,
   Medical Education & Training, Civil Secretariat,
   Lucknow, U.P.
5. Director General,
   Medical Education & Training, U.P.
   Jawahar Bhawan, Lucknow.
6. Vice Chancellor,
   Chattarpati Sahauji Maharaj Medical University,
   King George Medical College, Lucknow.
7. Krishna Pal Singh S/o Sri Khacheru Singh,
   Student of 1st Year M.B.B.S.,
   K.G. Medical College, Lucknow.
8. Anand Simar Singh S/o Sri Gurmeet Singh,
   R/o Karnal, Haryana. …… Respondents

Mr. L.P. Naithani, learned senior counsel on behalf of the petitioner.
Ms. Beena Pandey, learned Standing Counsel for the State of U.P.

Coram: Hon. V.S. Sirpurkar, C.J.
Hon. Rajesh Tandon, J.

(Per Hon'ble the Chief Justice)

1. Heard Mr. L.P. Naithani, learned senior counsel assisted by Mr. B.D. Upadhyaya, learned counsel on behalf of the petitioner and Ms. Beena Pandey, learned Standing Counsel for the State of U.P.

2. By the very nature of the prayer, it seems that the petitioner is claiming a seat for 2004 quota. The petitioner claimed to be the grandson of a freedom fighter and as such, he claims a reservation on

that count for 2003 admissions. It seems that some other person usurped that seat on the basis of a fraud played and he was ousted ultimately. That was in 2003. The petitioner, now, comes up before us and says that he should be considered as against the quota of 2004, in respect of which also, there was allegedly a fraud played by some persons.

3. We are unable to accede to the request though we have the sympathies in favour of the petitioner that he was deprived of a seat because of the fraud played by someone else. But, unfortunately, we cannot help the petitioner because we cannot order creation of a seat nor can we accept the claim of the petitioner to be considered as against 2004 quota as ever the admissions for 2004 quota are already over.

4. The writ petition has no merits and it is dismissed.

(Rajesh Tandon, J.) **(V.S. Sirpurkar, C.J.)**

08.12.2004 **08.12.2004**

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